P.R. No. 6511/05
Presented by Shri P.P. Sharma
dated 2/11/2005

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO. 6463 **/2005**

Single Bench

PETITIONERS Rashmita Gauraha, W/o. P.K. Gauraha, aged about 27, R/o. Deepak Nagar, Road No. –3, District Durg (C.G.)

VERSUS

RESPONDENTS

1. General Manager

   S ,E,C Railway Bilaspur C.G

2. Union Of India
   ,Through Secreatry,
   Ministry of Railways, Rail Bhawan,
   New -Delhi

3. Divisional Security Commissioner /R.P.F. S.E.C. Railway, Raipur (C.G.)

WRIT PETITIONER UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER

आदेश पत्रक

मामला क्रमांक WP 6463/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिमे आदेश

15-2-2006

Shri Sunil Otwani, counsel for the petitioner.

Shri Amit Choudhary, standing counsel for the respondents.

Heard.

The matter relates to transfer of the petitioner. Learned counsel for the petitioner submits that vide order dated 14-12-2005 (Annexure-P/1) the petitioner has been transferred from R.P.F. Post Durg to R.P.F. Post Raipur. He further submits that the act of the respondents clearly violates the Railway Establishment Rules. He also submits that there is a standing circular of the Railway Board for posting of husband and wife at the same station. It is stated the petitioner submitted her representation before the authorities as per Annexure-P/3. He prays that the respondents may be directed to decide the representation submitted by the petitioner.

The prayer is not opposed by the other side.

During the course of arguments reference is made to Rule 110 of the Railway Protection Force Rules 1987, which is relevant and quoted below :

> "110. Representation against wrongs :
>
> 110.1 Any member of the Force who deems himself wronged by any superior officer or other officer of the force may represent within thirty days of the act complained against to the officer under whose command or order he is serving:"

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक WP 6463/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
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Having considered the facts and circumstances of the case and material on record, ends of justice will be served if a direction is given to the respondents to consider and decide the representation (Annexure-P/3) submitted by the petitioner on its own merits in accordance with law as early as possible preferably within a period of three weeks from the date of receipt/production of copy of this order. It is made clear that if any grievance remains the petitioner may avail the remedy available under the law.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.(W.).P.No.5132/2005 & I.A.No. 10936/2005 also stand disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Gowri

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